

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF
CHIBOUT ET AL.

U.S. APPLICATION NO: 10/518,575

35 USC §371 DATE: 22 DECEMBER 2004

FOR: MARKER GENES FOR DETERMINING RENAL TOXICITY

MS: Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement of August 6, 2007, Applicants elect the claims of Group I, claims 1-11 and 13-36, drawn to methods of determining renal toxicity in an individual by use of expression. This election is made without traverse.

In response to the request to elect a species, Applicants elect the combination KIM-1 and Clusterin as markers for renal toxicity. Applicants note that the pending claim 1, for example, recites "one or more genes".

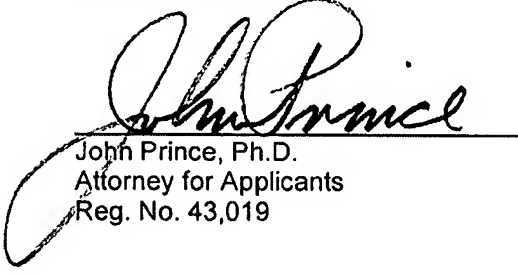
This election is being filed with a Petition for a One-Month Extension of Time. If it is deemed that additional fees are required, the Commissioner is authorized to charge Deposit Account No. 19-0134 in the name of Novartis for any fees due.

Applicants reserve the right to prosecute the subject matter of any non-elected claim groups in one or more divisional applications.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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Date: September 26, 2007